

File copy

**APPLICATION
FOR
UNITED STATES LETTERS PATENT**

**TITLE: METHODS FOR TREATING MUSCLE DISEASES AND
DISORDERS**

**APPLICANT: ROBERT SKLAR
MARK MARCHIONNI
DAVID I. GWYNNE**

**"EXPRESS MAIL" MAILING LABEL NUMBER
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Date of Deposit

March 8, 1994

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CATHERINE G. LANDRELL
Catherine G. Landrell

RB656732659 US

PATENT

ATTORNEY DOCKET NO.: **04585/028002**

The Patent and Trademark Office date stamp sets forth the receipt date (or both the receipt date and the Serial Number) of a patent application identified as follows:

Applicant: **Robert Sklar et al.**

Title: **Methods for Treating Muscle Diseases and Disorders**

08/461097

<input type="checkbox"/>	Transmittal Letter	
<input checked="" type="checkbox"/>	Appln 109 Pages of Spec. 11 Pages of Claims 105 Total Claims 1 Pages of Abstract	
<input type="checkbox"/>	Rule 62 Filing Request (FWC) _____ Pages	
<input type="checkbox"/>	Assignment	
<input type="checkbox"/>	Deposit Account Order Form (2 copies)	
<input checked="" type="checkbox"/>	Check \$ 1572.00	
<input type="checkbox"/>	Small Entity Statement	
<input type="checkbox"/>	Drawings _____ Sheets Formal 57 Sheets Informal 109 <i>substitute drawings</i>	
<input checked="" type="checkbox"/>	Combined Declaration and Power of Attorney 1 signed 1 unsigned 1 <i>copy</i>	
<input checked="" type="checkbox"/>	Preliminary Amendment - 1 Pages	
<input type="checkbox"/>	Information Disclosure Statement	
<input type="checkbox"/>	PTO 1449 Form - _____ Pages	
<input type="checkbox"/>	Prior Art References - Number of References _____	
<input type="checkbox"/>	Priority Document - _____ Pages	
<input type="checkbox"/>	English Translation	
<input checked="" type="checkbox"/>	Other <i>request to file Divisional (4pgs) Sequence Statement (7pgs)</i>	
	<i>Paper copy of sequence listing; Diskette in ASCII format</i>	
Atty/Sec	Client/	
Initials PTC/KBB	Matter Name CNS/Muscle GGF DIV	Date 6/5/95

COMPLETE WHEN OFFICIAL FILING RECEIPT ARRIVES

- ☒ Serial numbers on the postcard and the filing receipt match.
- ☒ Filing dates on the Express Mail receipt, postcard and the filing receipt match.
- ☒ Filing fee paid by check and the filing fee received on the filing receipt match. If the filing fee was charged to deposit account, the filing fee which should have been charged matches the filing fee received on the filing receipt.
- ☒ Attorney docket numbers on the application, the postcard, and the filing receipt match.
- ☒ Number of sheets of drawings in the application, number noted on the postcard and number noted on the filing receipt match. **85 on filing Receipt**
- ☒ Total number of claims in the application, noted on the filing receipt, noted in the transmittal letter match.
- ☒ Number of independent claims in the application, noted on the filing receipt, and noted in the transmittal letter match.
- ☒ Attorney named on the filing receipt and attorney named in the declaration/filing request to receive correspondence match.
- ☒ Address of attorney of record is correct and includes "Fish & Richardson".
- ☒ Applicant(s) named on the filing receipt and applicant(s) named in the declaration/filing request match.
- ☒ Title noted on the filing receipt and the title on the application match.
- ☒ Priority data on the filing receipt, declaration, and transmittal letter match.

Checked By: **CHW 2/14/96**

Practice Systems

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/461,097	06/05/95	1812	\$1,702.00	04585/028002	57	85	7

PAUL T CLARK
FISH AND RICHARDSON
225 FRANKLIN STREET
BOSTON MA 02110-2804

RECEIVED

FEB 20 1996

FISH & RICHARDSON P.C.
BOSTON, MA

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

ROBERT SKLAR, NEWTON, MA; MARK MARCHIONNI, ARLINGTON,
MA; DAVID I. GWYNNE, BEVERLY, MA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A DIV OF 08/209,204 03/08/94
WHICH IS A CIP OF 08/059,022 05/06/93 ABN

FOREIGN FILING LICENSE GRANTED 02/01/96

* SMALL ENTITY *

TITLE

METHODS FOR TREATING MUSCLE DISEASES AND DISORDERS

PRELIMINARY CLASS: 514

Reviewed By Practice Systems
Initials: <i>Yab</i>
Reviewed By Billing Secretary
Initials: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert Sklar et al.
Filed : Herewith
Title : METHODS FOR TREATING MUSCLE DISEASES AND DISORDERS

Commissioner of Patents and Trademarks
Washington, DC 20231

Box patent application

REQUEST FOR FILING DIVISIONAL APPLICATION

This is a request for filing a divisional application under 37 CFR 1.60, of pending prior application Serial No. 08/209,204 filed on March 8, 1994 by Robert Sklar, Mark Marchionni, and David I. Gwynne for METHODS FOR TREATING MUSCLE DISEASES AND DISORDERS.

1. Enclosed is a true copy of the above identified prior application, including the declaration as originally filed and a copy of the signed declaration filed July 20, 1994 to complete the prior application. The true copy of the prior application is as follows: 169 page(s) of specification; 11 page(s) of claims; 1 page of abstract; 57 sheet(s) of drawings; and 2 page(s) of declaration and power of attorney.

2. Cancel in this application claims 28, 29-44, 84-86, and 88 of the prior application before calculating the filing fee. At least one original independent claim has been retained

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RB65673265745

Date of Deposit

June 5, 1995

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Mary Jane E. Fidler
Mary Jane Fidler

for the purpose of filing this application. A preliminary amendment is enclosed.

3. Substitute paper and computable readable copies of the Sequence Listing as required under §1.824(a), and a Statement under 37 CFR §1.825(b) are enclosed.

4. The filing fee, based on the original claims in the prior application less any claims cancelled herein, is calculated below:

CLAIMS AS FILED				
	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	105 - 20 =	85 x	\$ 11 =	\$365
Independent Claims	7 - 3 =	4 x	\$ 38 =	152
Multiple Dependent Claims			\$120 =	120
		Total Filing Fee =		1572

5. A verified statement that this filing is by a small entity was filed in the prior application and such status is still proper and desired.

6. Please amend the specification by inserting before the first line the sentence: --This is a divisional of copending application Serial No. 08/209,204, filed March 8, 1994, which is a continuation-in-part of application Serial No. 08/059,022, filed May 6, 1993, abandoned.--

7. With respect to the prior application from which this application claims benefit under 35 U.S.C. 120, the inventors named in this application are the same as those named in the prior application. The inventorship for the claims in this application are the same.

8. The prior application is assigned of record to Cambridge Neuroscience, a Massachusetts corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on July 25, 1994 at REEL 7291/FRAME 0979.

9. Enclosed is the filing fee of \$1572.

10. The Commissioner is hereby authorized to charge any fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 06-1050.

11. The power of attorney in the prior application is to Paul T. Clark, Reg. 30,162, William E. Booth, Reg. No. 28,933; Barry E. Bretschneider, Reg. No. 28,055; Willis M. Ertman, Reg. No. 18,658; David L. Feigenbaum, Reg. No. 30,378; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Alan H. Gordon, Reg. No. 26,168; Gilbert H. Hennessey, Reg. No. 25,759; Charles Hieken, Reg. No. 18,411; Robert E. Hillman, Reg. No. 22,837; G. Roger Lee, Reg. No. 28,963; Steven E. Lipman, Reg. No. 30,011; Gregory A. Madera, Reg. No. 28,878; Ralph A. Mittelberger, Reg. No. 33,195; Ronald E. Myrick, Reg. No. 26,315; Frank P. Porcelli, Reg. No. 27,374; Eric L. Prah, Reg. No. 32,590; Barbara Rae-Venter, Reg. No. 32,750; Alan D. Rosenthal, Reg. No. 27,833; John M. Skenyon, Reg. No. 27,468; Michael O. Sutton, Reg. No. 26,675; Rene D. Tegtmeyer, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; John N. Williams, Reg. No. 18,948; Gary A. Walpert, Reg. No. 26,098; and Charles C. Winchester, Reg. No. 21,040.

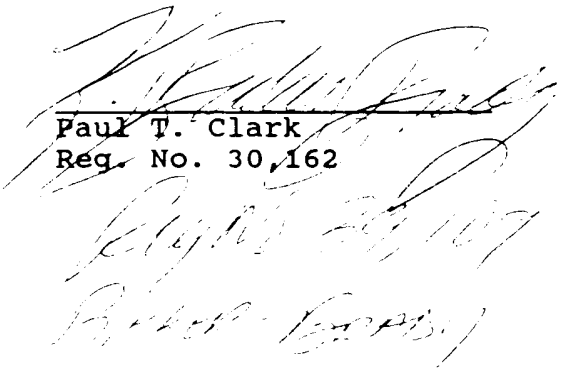
The power appears in the true copy of the prior application.
Address all future communications to Paul T. Clark at Fish &
Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

Respectfully submitted,

Date:

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

Telephone: 617/542-5070
Facsimile: 617/542-8906
129276.B11


Paul T. Clark
Reg. No. 30,162